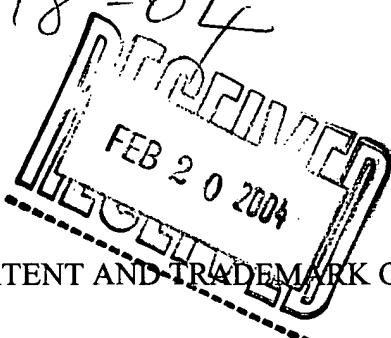




02-18-04

AF 28228

PATENT  
98093DIV61  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of  
Gealey et al.

Serial No. 09/770,699

Filed: January 26, 2001

Group Art Unit: 2822

Examiner: Michael Trinh

CAPACITOR HAVING AN  
ELECTRODE FROM A TRANSITION  
METAL OR CONDUCTIVE METAL-  
OXIDE, AND METHOD OF FORMING  
SAME

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

August 22, 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants, in accordance with the duty of disclosure pursuant to 37 C.F.R. § 1.56, hereby advise the United States Patent and Trademark Office of the references listed on the accompanying form PTO/SB/08A (Information Disclosure Statement By Applicant). A copy of each of the references cited therein is herewith enclosed.

Applicants submit that this Supplemental Information Disclosure Statement should be

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I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

02/18/2004 NROCHA1 00000017 09770699

01 FC:1806 PI-1046991 v1

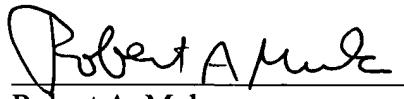
180.00 OP

considered under 37 C.F.R. §1.97(c)(2) because it is being filed before the mailing date of any of a final office action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application, and it is accompanied by a check for the fee set forth in § 1.17(p).

Applicants note that although the cited references may be relevant to the examination of the above-referenced application, under 37 C.F.R. § 1.97(h), the filing of this Supplemental Information Disclosure Statement "shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56(b)."

Respectfully submitted,

Date: August 22, 2003

  
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PTO/SB/08A (10-01)  
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Substitute for form 1449A/PTO				<i>Complete if Known</i>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				Application Number	09/770,699
(use as many sheets as necessary)				Filing Date	January 26, 2001
Sheet	1	of	1	First Named Inventor	Gealy
				Art Unit	2822
				Examiner Name	Michael Trinh
				Attorney Docket Number	
				98093DIV	

<b>U.S. PATENT DOCUMENTS</b>					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
		5,313,089	05-17-1994	Jones, Jr.	
		5,604,696	02-18-1997	Takaishi	
		5,856,937	01-05-1999	Chu et al.	
		6,191,443	02-20-2001	Al-Shareef et al.	
		6,265,260	07-24-2001	Alers et al.	
		US-2003-0057472-A1	03-27-2003	Gealy et al.	
		US-2003-0100164-A1	05-29-2003	Gealy et al.	
		US-2003-0080369-A1	05-01-2003	Gealy et al.	
		US-2003-0100163-A1	05-29-2003	Gealy et al.	
		US App. No. 09/286,807		Gealy et al.	Filed 04-06-1999
		US App. No. 10/159,695		Gealy et al.	Filed 05-30-2002

<b>FOREIGN PATENT DOCUMENTS</b>					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)			

Examiner Signature		Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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